1942. **File No.** O. Rural Dev/42

K

Legal DEPARTMENT

'A' BRANCH

p.4(E)

Subject:—

Opinions under the rules re- Rural Development Board.

File No. O Rural Dev/42

Std. Sectt. Slip 24 B a.

466-A

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1	D.L.B. No. 93/24/8/42 O.No. 7045/20/8/42.	Further when the president of the D.L.B. who is ex-officio member of the Distt. Rural Development Board, ceases to be President of the D.L.B. he ceases to be the member of the Development Board.	1-4.

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R.I. No. 9308 dated 24-8-1912.

Submitted.

2. Dr. Donare was the President, District Local Board, Kolaba. He was therefore an ex-officio member of the District Rural Development Board, Kolaba, under rule 4(3) of the District Rural Development Board, Kolaba Rules appended to G.R.R.D. No.1041/39 XVII dated 27th February 1941 (Slip 4 in R.D. file below) on his cessation to be President, he was no longer a member of the District Rural Development Board, Kolaba, and consequently he ceased to be an elected member of the Provincial Board of Rural Development and therefore the Collector has called a meeting on 26/8/1912 of the District Rural Development Board to elect a representative from among the non-official members of the said Board on the Provl. Board of Rural Development. To this course of action, Dr. Donare has objected (vide his letter on pp.3-7 ante.) The Govt. has, however, informed him that the action taken by the Collr. Kolaba is in accordance with the rules and the relief sought by him cannot be granted. The R.D. has now pointed out in its note on pp. 23-25 ante that para. 3 of the G.R.R.D. No. 6104/39.39 dated the 15th November 1911, at the beginning of this file, is not in order and Secretary R.D. has proposed to replace the first four lines of para 3 of the said G.R. by the following, viz:-

The Board will meet at least once a year. The Nominated and ex-officio members will hold office for three years and members elected by bodies concerned with

R.I. No. 9308 dated 24-8-1942.

Submitted.

Dr. Dongre was the President, District Local Board, Kolaba. He was therefore an ex-officio member of the District Rural Development Board, Kolaba, under rule 4(3) of the District Rural Development Board, Kolaba Rules amended to G.R.R.D. No.1/11/30 XVII dated 27th February 1941 (Slip A in R.D. file below) on his ceasing to be President. He was no longer a member of the District Rural Development Board, Kolaba, and consequently he ceased to be an elected member of the Provincial Board of Rural Development and therefore the Collector has called a meeting on 26/8/1942 of the District Rural Development Board to elect a representative from among the non-official members of the said Board on the Provl. Board of Rural Development. To this course of action Dr. Dongre has objected (vide his letter on pp.3-7 ante.). The Govt. has, however, informed him that the action taken by the Collr. Kolaba is in accordance with the rules and the relief sought by him cannot be granted. The R.D. has now pointed out in its note on pp. 23-25 ante that para. 3 of the G.R.R.D. No. 6104/30.39 dated the 15th November 1941 at the beginning of this file, is not in order and Secretary R.D. has proposed to replace the first four lines of para 3 of the said G.R. by the following, Viz:-

" The Board will meet at least once a year. The Nominated and ex-officio members will hold office for three years and members elected by bodies concerned with

" The Board shall meet at least once a year. Elected and nominated members shall hold office for a term of three years.

Provided that ---

(i, members elected by the District Central Co-operative Banks and the District Board of Supervising Unions shall hold office for a period of one year and

(ii) members elected by bodies concerned with rural development shall cease to hold office when ~~their they cease~~ they cease to be members of such bodies."

Id/x x
26/3

S.A.S

sd/- S.B. P.
27/3

D.S.

As in S.S.'s note.

sd/- H.E. D-
27/3

R.L.A. sd/-P.H.M.
27/3

U.R.to H.D. No. 7315 dated 30/3/42.

Endhav Ruckadam.
4/5

rural development will hold office for three years or so long as they continue to be members of the Rural Development organizations concerned whichever is shorter, except that members representing the District Central Co-operative Banks and the Boards of Supervising Unions will hold office for one year only"

A(F) has accepted the amendment but has requested the R.L.A. to see it before issue.

3. The following may be substituted for para 3 of G.R. R.D. No. 6194/39 dated the 15th November 1941, namely:-

" The Board will meet at least once a year. The Nominated and ex-officio members will hold office for a period of three years and elected members will hold office for a period of three years or so long as they continue to be members of the respective bodies, concerned with rural development whichever is shorter; provided that members representing the District Central Co-operative Banks and the District Boards of Supervising Unions will hold office for a period of one year only." It is presumed that the latter portion of para 3 of the said G.R. is now spent. If so, it is not necessary to retain that provision in the G.R. now.

sd/- s.w.d. 26/8

S. G.

The question of fixing the term of office of ex-officio members does not arise. They are members by virtue of their office. The person for the time being holding office continued to be a member of the Board.

2. The following revised draft may be adopted in place of Secy R.D. 's Draft at pp. 24-25.